

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, 7 VILLAGE LANE, QUOGUE, NEW YORK, HELD ON FRIDAY OCTOBER 19, 2012 AT 4:00 PM.

PRESENT: Mayor Peter S. Sartorius, Trustees Randy Cardo, Jeanette Obser, Ted Necarsulmer, and Kimberley Payne, Village Attorney Richard E. DePetris and Village Clerk Marcia Rose Koziarz.

OTHERS PRESENT: Police Chief Robert Coughlan, Police Lieutenant Chris Isola, Fire Department Chief Tim Shea, Chief Building Inspector Bill Nowak, Francis Ryan, Dick Gardner, Harry Mainzer, Jaimie Mainzer, Rich Rubio, Eric Bregman, Simon Rose, George Mathys, J. Schwartz, Mark Schindler and Carol Moran of The Southampton Press.

The Mayor invited everyone to join him in the Pledge of Allegiance.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the minutes of Regular Meeting held on September 21, 2012 are hereby approved.

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, the abstract of audited vouchers Schedule 10-12, in the amount of \$259,195.89 and Treasurer's Report for the Month ending September 30, 2012 are hereby approved as follows:

\$ 30,098.10 Checking Account  
\$8,596,763.35 Investments  
\$8,626,861.45 Total General Fund 09/30/12

The Clerk gave the report for September 2012 False Fire and Burglar Alarms as follows:

Burglar Billed: \$300.00; Burglar Collected: \$400.00  
Fire Billed: \$5,500.00; Fire Collected: \$0

Fire Department Chief Tim Shea gave the September report for the Fire Department. Chief Building Inspector Bill Nowak gave the August report for the Building Department and Police Chief Robert Coughlan gave the September report for the Police Department.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a donation in the amount of \$1,200.00 for revenue code A2705 (Donations) from Theresa Winter for the purchase of a memorial bench funded through A7110.443 (Parks Improvements & Maintenance) is hereby approved.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the deletion of Suess Path from the NYSDOT listing as a Village road is hereby approved. This road was reported on the annual listing in 1992, but it was never approved by resolution as a Village road and has remained a private road.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a 5-year agreement with Global Telecom Supply and lease for an upgrade of the Avaya phone system in the Village office is hereby approved.

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the following refunds of the Village 2012-2013 taxes due to duplicate payments are hereby approved:

<u>Tax Map#</u>	<u>Refund To</u>	<u>Amount</u>
1-1-18.6	Chevy Chase Federal Savings Bank	\$1,871.07
1-1-20.5	First American Real Estate Tax Service	\$1,900.63
3-2-1.8	First American Real Estate Tax Service	\$1,743.42
3-5-28	First American Real Estate Tax Service	\$2,091.71
3-6-38	First American Real Estate Tax Service	\$1,998.52
4-1-47	First American Real Estate Tax Service	\$1,994.41
4-1-58	First American Real Estate Tax Service	\$1,938.61
4-1-62	First American Real Estate Tax Service	\$2,802.98
8-1-7.1	First American Real Estate Tax Service	\$2,153.58
16-1-20	First American Real Estate Tax Service	\$ 84.19

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the following tax refunds of Village 2012-2013 taxes due to reductions of tax assessments in Small Claims Assessment Review proceedings are hereby approved:

6-3-3	Geoffrey Judge	\$839.70
10-3-10.3	Kenneth Lynch	\$1,394.93
11-1-6	Ann Chizen	\$2,178.11
14-1-31	Joseph Pontarelli	\$1,228.72

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the 2012-2013 Justice Court Assistance Program grant application for renovations to the jury room in an amount not to exceed \$8,000.00 is hereby approved.

Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the minutes of bid opening held on October 15<sup>th</sup>, 2012 at 3:00 PM for the installation of a new roof on the “snail house” at 172 Dune Road are hereby approved and awarded to J. P. Hunter Co., Inc. in the amount of \$34,650.00.

The Mayor opened the Public hearing on the proposed Local Law \_\_\_ of 2012 “A Local Law Amending Chapter 196 (Zoning) Of The Village Code With Respect to Nonconformities”. After discussion and upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, the public hearing was closed at 4:20 P.M. Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the Board of Trustees hereby finds that the enactment of the proposed Local Law will not have an adverse effect on the environment. Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that “Local Law No. \_\_\_ of 2012, A Local Law Amending Chapter 196 (Zoning) Of The Village Code With Respect to Nonconformities” is hereby enacted as Local Law #5 of 2012. The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Mayor Sartorius: Voting Aye  
Trustee Cardo: Voting Aye  
Trustee Obser: Voting Aye  
Trustee Necarsulmer: Voting Aye  
Trustee Payne: Voting Aye

\* \* \*

Upon motion made by Mayor Peter Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the introduction of the following amendment to Village Code is hereby approved and a public hearing thereon shall be held on November 16, 2012:

Local Law No.            of 2012  
  
A Local Law Amending Chapter  
196 (Zoning) Of The Village Code  
With Respect To Accessory Uses  
And Structures In Residence Districts

Section 1. Purpose.

The Village Board of Trustees considers that a boat lift and associated apparatus constitute structures under the existing Zoning Code and that such structures are not permitted accessory structures under the existing Zoning Code. In order to clarify any ambiguity and avoid any doubt, this local law amends the Zoning Code so as to expressly provide that a boat lift and all associated apparatus constitute structures and are prohibited accessory structures.

Section 2. §196-13B(10) is hereby amended by adding the following sentence at the end thereof to read as follows:

A boat lift and all associated apparatus constitute structures and are prohibited accessory structures.

Section 3. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

\* \* \*

Upon motion made by Mayor Peter Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the introduction of the following amendment to Village Code is hereby approved and a public hearing thereon shall be held on November 16, 2012:

A Local Law Amending Chapter 37  
(Numbering of Houses) Of The Village Code With  
Respect to Requiring Display of Numbers at all Improved Properties

Section 1. Chapter 37 is hereby amended by adding a new Section 37-4 to read as follows:

37-4. Display of Numbers.

It shall be the duty of every owner of an improved property in the Village of Quogue facing on a public or private street to display in a visible manner the correct street number of such property. Such display shall comply with any applicable provisions of Chapter 196, Article VIII, and the New York State Fire Prevention and Building Code.

Section 2. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

\* \* \*

Next the Mayor discussed the design changes, approved at the September Board of Trustees meeting, for the Jessup Homestead (Weathervane) building at 52 Quogue Street. Revised plans were submitted to the Building Inspector by Rocco Lettieri and also reviewed by the Quogue Historical Society architect. Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the revised plans for Jessup Homestead (Weathervane) building are hereby approved.

The Mayor opened the public hearing on special exception uses of Hampton Motors at 8 Midhampton Avenue. Attorney for Hampton Motors, Eric Bregman, had submitted by letter dated October 30, 2012 an explanation of the proposed special exception uses. The Board received one letter of opposition. Mr. Bregman advised that the sprinkler system for the spray paint booth is installed and Fire Marshal inspection is expected for next week. Building Inspector Bill Nowak will follow up on the completion of all inspections. The Mayor stated that the special exception use for auto repair and a body shop would be granted. He further stated that car washes would be permitted but only for repair and detailing customers. With respect to car sales, the use would be granted, but the maximum number of cars displayed for sale would be five. Rental car use would be granted, but cars would have to be received from and delivered back to the main Hertz base (Riverhead) promptly and no more than five could be on the lot for more than 24 hours. Towing would be permitted, but there could be no impound lot. The Mayor also said that no special exception for indoor car storage is required. The applicant and owners of the property would be required to consent to periodic inspections by the Village during normal business hours. The request for signage must be submitted to the Planning Board. Upon motion made by Mayor Sartorius, seconded by Randy Cardo and unanimously carried, the public hearing was closed at 4:35 P.M. and special exception use was granted subject to the conditions outlined.

The Mayor opened the floor for any other business. Harry Mainzer of East Quogue spoke concerning sexual harassment within the Police Department.

With no further business to discuss and upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, the meeting was adjourned at 4:42 P.M.

---

Marcia Rose Koziarz, Village Clerk